

Claims 1, 3-5, 9-13, 15-17, and 21-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over the applicants' submitted prior art in view of *Scott et al.* (U.S. Patent No. 6,154,486), and Claims 2 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over applicant's submitted prior art in view of *Scott et al.*, and further in view of *Nakamura et al.* (U.S. 6,314,090). Specifically, the Examiner asserts that FIGs. 1 and 2 of the present application, which illustrate the prior art, disclose all the elements of independent Claims 1 and 13, except for transmitting the preamble signal intermittently during a preamble interval, which is allegedly disclosed in *Scott*. However, it is respectfully submitted that the Examiner is incorrect in his assertions, and that the combination of applicants' admitted prior art and *Scott* would not provide the teachings of the present invention as disclosed in independent Claims 1 and 13.

Scott discloses that a transmission/reception of a preamble is performed between a transmitter and a receiver of a TDMA system, and in the description regarding characteristics of the TDMA system, the term *intermittent* is used. However, it is respectfully submitted that the term *intermittent* as used in *Scott*, is not used in the same meaning as in Claims 1 and 13 of the present invention. Referring to col. 6 and FIG. 6A of *Scott*, a transmitter (a mobile station) in a TDMA system transmits a frame including a preamble and data during an interval (t) (i.e., a time slot), receives a frame from a receiver (a base station) during an interval (t+1), and again transmits a frame including a preamble and data during an interval (t+2). That is, since a transmitter in a TDMA system transmits a preamble during intervals of (t), (t+1), (t+2), etc., *Scott* merely uses the expression *intermittent* in reference to such transmission characteristics.

On the contrary, the present invention discloses that a mobile station *intermittently* transmits a preamble signal during a preamble interval, which is located prior to a transmission interval of a reverse access channel message. By not always transmitting a preamble at each interval, the embodiment of the present invention has an advantage of saving transmission power by reducing preamble intervals when compared with the cited art, and further, reducing interference on the other channels of the reverse links by saving transmission power. Therefore, *Scott* discloses

that preamble signals are always transmitted during the interval where a preamble is transmitted, while the present invention discloses that the preamble signals are in fact *intermittently* transmitted during the preamble interval.

To summarize, although *Scott* discloses a preamble and uses the term *intermittent*, *Scott's* use of the term *intermittent* is clearly distinguishable from the meaning of the term *intermittently* as used in independent Claims 1 and 13 of the present invention. Therefore, it is respectfully submitted that the invention as described in Claims 1 and 13 cannot be embodied with the combination of *Scott* and the admitted prior art, and the Examiner's rejection should be withdrawn.

Amended Claims 1 and 13 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-12 and 14-24, they are likewise believed to be allowable by virtue of their dependence on Claims 1 and 13, respectively. Accordingly, reconsideration and withdrawal of the rejections and objections of dependent Claims 2-12 and 14-24 are respectfully requested.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 1-24 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516
PJF/DMO/lah

Requirement as per C.F.R. §1.121c(1)(ii)

Rewritten claims 1 and 13 marked up to show all the changes relative to the previous version:

1. (Amended) A mobile station device comprising:

a preamble generator for generating a preamble signal [intermittently] to be transmitted intermittently during a preamble interval prior to a transmission interval of a reverse access channel message; and

a transmitter for spreading and modulating the preamble signal received from the preamble generator and transmitting it to a base station.

13. (Amended) A transmitting method at a mobile station comprising the steps of:

generating a preamble signal [intermittently] to be transmitted intermittently during a preamble interval prior to a transmission interval of a reverse access channel message; and

spreading and modulating the preamble signal received from the preamble generator and transmitting it to a base station.